UNITED	STA	TES	DISTE	RICT	COUF	₹T
SOUTH	ERN	DIST	RICT	OF N	EW Y	ORK

UNIVERSITAS EDUCATION, LLC,

Judgment Creditor,

-against-

NOVA GROUP, INC., as trustee, sponsor and fiduciary of THE CHARTER OAK TRUST WELFARE BENEFIT PLAN,

Judgment Debtor,

-and-

Daniel E. Carpenter, Charter Oak Trust Welfare
Benefit Plan, Grist Mill Capital, LLC, Grist Mill
Holdings, LLC, Avon Capital, LLC, Hanover Trust
Company, Carpenter Financial Group and Phoenix
Capital Management, LLC,

Respondents.

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: OCT 1 6 2013

Case Nos. 11 CV 1590-LTS-HBP and

11-8726-LTS

[PROPOSED] ORDER TO SHOW CAUSE ON APPLICATION FOR PRELIMINARY INJUNCTION AND TURNOVER AGAINST RESPONDENT DANIEL E. CARPENTER

Upon the Declaration of Michael Barnett, Esq., dated October 9, 2013 (with Exhibits), and the accompanying Memorandum of Law filed by Plaintiff/Judgment Creditor Universitas Education, LLC ("Universitas"), and good and sufficient cause appearing therefrom:

A. Preliminarily enjoining Mr. Carpenter from, directly or indirectly, causing, making, permitting or suffering any sale, assignment or transfer of, or any interference with, any asset or property of his, and any asset or property of any company, corporation or entity (including any trusts) in which he has a direct or indirect interest or control; provided that Mr. Carpenter be permitted to expend and/or transfer up to an aggregate amount of \$20,000.00 per month for ordinary expenses of his or one of his entities, with any such payments or transfers to be reported, in writing, with supporting documentation, to Universitas' counsel within seven (7) days of such payment/transfer being made.

IT IS FURTHER:

ORDERED that service of a copy of this Order, together with the underlying papers upon which it was granted, be made through the Electronic Case Filing ("ECF") system upon Mr. Carpenter's attorney, Anthony J. Siano, who has appeared in this action:

ORDERED that any opposing affidavits, declarations, memoranda of law, or other material shall be served upon counsel for Universitas through the ECF system on or before 6 p.m. on October 25, 2013, and that any reply affidavits, declarations, memoranda of law, or other materials shall be served through the ECF system on or before 6 p.m. on November 1, 2013; and

ORDERED that following briefing on its preliminary injunction motion, Universitas be permitted discovery regarding the subject matter of its turnover motion; such discovery shall include up to three (3) depositions (including a deposition of Mr. Carpenter) to be conducted between December 2 and December 16, 2013, and a set of document requests issued to Respondents, to be served by October 28, 2013, with complete responses and productions to the document requests due no later than November 22, 2013.

October 15, 2013 Dated: New York, New York

THE HON. LAURA TAYLOR SWAIN